

Remarks*Status*

The Examiner rejected claims 1-53 and 55-57 while the Examiner allowed claims 54 and 58. Claims 1, 18, 35 and 45-47 have been amended. Claims 1, 18, 35, 45-47, 50 and 57 are the independent claims. It is submitted that all of the currently pending claims (1-58) are patentable over the cited references for at least the reasons discussed below.

Interview

Applicants would like to thank Examiners Beliveau and Srivastava for the personal interview conducted April 20, 2004. In the interview Applicants presented a brief presentation detailing aspects of the present invention, details of the prior art references and differences between the claimed invention and the prior art. The discussion also included reasons why claims 1 and 18 should be allowable over U.S. Patent No. 6,286,142 to Ehreth and U.S. Patent No. 5,574,964 to Hamlin. Specifically, Applicants suggested that neither Ehreth nor Hamlin, alone or in combination, disclose all of the features of claims 1 and 18 including at least a residential gateway that receives channel select commands directly from a remote control. Applicants also suggested that U.S. Patent No. 6,418,149 to Swisher et al. does not disclose or suggest all of the features of claims 50 and 57 in combination. The Examiner stated that further consideration and/or search would be conducted upon the filing of a Response or Amendment.

Obviousness-Type Double Patenting Rejections

Under the judicially created doctrine of obviousness-type double patenting, the Examiner provisionally rejected claims 1, 20 and 45 as being obvious over claims 1, 9 and 30 of co-pending Application No. 09/526,100. The Applicant submits that this rejection is not applicable for currently pending claims 1, 20 and 45 and should accordingly be withdrawn.

Amendment After Final

-21-

09/525,412

Under the judicially created doctrine of obviousness-type double patenting, the Examiner provisionally rejected claims 18 and 35 as being obvious over claims 16 and 31 of co-pending Application No. 09/488,275. The Applicant submits that this rejection is not applicable for currently pending claims 18 and 35 and should accordingly be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1, 3-7, 13, 14, 18, 20-24, 31, 35, 37-43 and 45-47

In paragraph 18 of the Office Action, the Examiner rejects claims 1, 3-7, 13, 14, 18, 20-24, 31, 35, 37-43 and 45-47 under 35 U.S.C. § 102 as being anticipated by Ehrth. It is submitted that the amended claims are patentable over the cited references for at least the following reasons.

Independent claim 1 is directed to a method for receiving, decoding and distributing video signals received from a telecommunications network to a plurality of televisions separately locatable. The method includes receiving, by a receiver within a residential gateway, a channel select command from a remote control associated with one of the plurality of televisions. A video signal is received from the telecommunications network and transported to a video processor. The video signal is processed to produce a television signal corresponding to the channel select command. The television signal is transmitted over media from the residential gateway to at least one television without the signal going through an intermediate device.

It is respectfully submitted the Ehrth does not disclose or suggest a method as recited in independent claim 1. For example, Ehrth does not disclose that at least one television signal is transmitted "over media from the residential gateway to the at least one television without the at least one television signal going through an intermediate device." Ehrth discloses a remote control 70 transmits a channel select command to channel selection and signaling unit 50 which sends a signal, at a user selectable frequency, to the receiver 80 that is within the residential gateway 30. Network interface 32 receives a video signal from the telecommunications network 40 and transports the signal to the modulating unit 34. Modulating unit 34 modulates the video signal to a frequency, which matches the user selected frequency of channel selection and signal unit 50, and transmits the modulated video signal to the receiver 80. Receiver 80 transmits the

video signal over media 90 to the channel selection and signaling units 50 and only the channel selection and signaling unit that is set to match the frequency will receive the video signal. Channel selection and signaling unit transmits a television signal to a television frequency. In short, Ehreth discloses that the residential gateway 30 transmits video signals to channel selection and signaling unit 50 which in turn transmits television signals to a television.

Claims 3-7, 13 and 14 depend upon independent claim 1 and are submitted to patentable for at least the reasons described above with respect to claim 1 and for the further features recited therein.

Independent claim 18 is directed to a residential gateway that distributes video signals to a plurality of televisions. The residential gateway has a receiver that receives channel select commands and a network interface module that receives video signals, corresponding to the channel select commands, from a telecommunications network. A video processor processes the video signals to produce a television signal and transmits the television signal over media to a television without transmitting the television signal through an intermediate device.

It is respectfully submitted the Ehreth does not disclose or suggest a residential gateway as recited in independent claim 18. For example, Ehreth does not disclose an output device for "transmitting the at least one television signal over media to a corresponding television, wherein the at least one television signal is transmitted directly from the residential gateway to the corresponding television without the at least one television signal going through an intermediate device." Ehreth discloses a remote control 70 transmits a channel select command to channel selection and signaling unit 50 which sends a signal, at a user selectable frequency, to the receiver 80 that is within the residential gateway 30. Network interface 32 receives a video signal from the telecommunications network 40 and transports the signal to the modulating unit 34. Modulating unit 34 modulates the video signal to a frequency, which matches the user selected frequency of channel selection and signaling unit 50, and transmits the modulated video signal to the receiver 80. Receiver 80 transmits the video signal over media 90 to the channel selection and signaling units 50 and only the channel selection and signaling unit that is set to match the frequency will receive the video signal. Channel selection and signaling unit transmits a television signal to a television 100. In short, Ehreth discloses that the residential gateway 30

transmits video signals to channel selection and signaling unit 50 which in turn transmits television signals to a television.

Claims 20-24 and 31 are dependent upon independent claim 18 and are submitted to be patentable for at least the reasons described above with respect to claim 18 and for the further features recited therein.

Independent claim 35 is directed to a method for receiving and decoding signals from a telecommunications network and transmitting the decoded signals to a plurality of devices including multiple televisions. Each of the plurality of devices and the telecommunications network are connected to a residential gateway. A television channel to view on at least one television is selected using a remote control and the channel select commands are received by a receiver within the gateway. The channel select commands are transmitted to the telecommunications network. A video signal is received from the telecommunications network and processed by a video processor into a television signal corresponding to the channel select command. The television signal is transmitted over media from the residential gateway to the appropriate television without the television signal going through an intermediate device.

It is respectfully submitted the Ehreth does not disclose or suggest a method as recited in independent claim 35. For example, Ehreth does not disclose that at least one television signal is transmitted "over media from the residential gateway to the at least appropriate television without the at least one television signal going through an intermediate device." Ehreth discloses a remote control 70 that transmits a channel select command to channel selection and signaling unit 50 which sends a signal, at a user selectable frequency, to the receiver 80 that is within the residential gateway 30. Network interface 32 receives a video signal from the telecommunications network 40 and transports the signal to the modulating unit 34. Modulating unit 34 modulates the video signal to a frequency, which matches the user selected frequency of channel selection and signaling unit 50, and transmits the modulated video signal to the receiver 80. Receiver 80 transmits the video signal over media 90 to the channel selection and signaling units 50 and only the channel selection and signaling unit that is set to match the frequency will receive the video signal. Channel selection and signaling unit transmits a television signal to a television 100. In short, Ehreth discloses that the residential gateway 30 transmits video signals

to channel selection and signaling unit 50 which in turn transmits television signals to a television.

Claims 37-43 depend upon independent claim 35 and are submitted to be allowable for at least the reasons described above with respect to claim 35 and for the further features recited therein.

Independent claim 45 is directed to a method for receiving and decoding signals from a telecommunication network and transmitting the decoded signals to a plurality of devices including multiple televisions. The telecommunications network and at least one television are connected to a residential gateway that is remotely located from the television. A channel to view is selected using a remote control and the channel select command is transmitted to a remote antenna package. The remote antennae package receives a wireless signal from the remote control and transmits the wireless signal over media to a media interface device which demodulates the wireless signal and extracts the portion corresponding to the channel select commands. The channel select commands are transmitted to the telecommunication network. A video signal is received from the telecommunications network and processed by a video processor to produce television signals corresponding to the channel select commands. The television signals are transmitted to the at least television without sending the television signals through the remote antenna packages.

It is respectfully submitted the Ehreth does not disclose or suggest a method as recited in independent claim 45. For example, Ehreth does not disclose using remote antennae packages that receive wireless signals from remote control devices and transmit the wireless signals to the gateway but do not transmit television signals to at least one television. As described in detail above, Ehreth discloses that channel selection and signaling unit 50 both transmits signals upstream to the residential gateway and downstream to the television. Thus, channel selections and signaling unit does not disclose or suggest the remote antennae packages as claimed.

Independent claim 46 is directed to a residential gateway that receives and decodes signals from a telecommunications network and transmits the decoded signals to a plurality of devices including multiple televisions. The residential gateway has a network interface module that transmits signals upstream to the telecommunications network and receives signals from the

telecommunications network. A video processor processes the received signal into at least one television signal corresponding to the channel select command and transmits the television signal to a corresponding television. A remote control module processes the channel select commands by extracting the channel select commands from a wireless signal. The wireless signal is transmitted from a wireless remote control device to a remote antennae package, which transmits the wireless signal over media to a media interface device which demodulates the wireless signal and extracts the portion corresponding to the channel select command. The remote antennae package does not receive television signals from the residential gateway or transmit television signals to the associated television.

It is respectfully submitted that Ehreth does not disclose or suggest a method as recited in independent claim 46. For example, Ehreth discloses, as detailed above, that the channel selection and signaling unit receives channel select commands from remote control 70, transmits a modulated signal over media 90 to the residential gateway 30 and receives signals sent from the residential gateway 30 to transmit television signals to a television 100. Thus, channel selection and signaling unit does not disclose or suggest the remote antennae packages as claimed.

Independent claim 47 is directed to a system for receiving and decoding signals from a telecommunications network and transmitting the decoded signals to a plurality of devices including televisions. The system includes a residential gateway having a network interface module which transmits upstream signals to the telecommunications network and receives signals downstream from the telecommunications network. The residential gateway also has a video processor that decodes the received video signals into television signals corresponding to channel select commands and transmits the video signals directly to a corresponding television, without the at least one television signal going through an intermediate device. The system also includes a remote antennae package that receives wireless signals from a wireless remote control device associated with a television and a media interface device.

It is respectfully submitted that Ehreth does not disclose or suggest a system as recited in independent claim 47. For example, Ehreth does not disclose or suggest a residential gateway having a video processor "for transmitting the at least one television signal directly to the corresponding television without the at least one television signal going through an intermediate

device." As detailed with respect to claim 1 above, Ehreth discloses that the residential gateway 30 must transmit the video signal through the channel selection and signaling unit 50, which in turn transmits the television signal to corresponding television 100.

Claims 5, 7, 11-17, 22, 29, 30, 32, 34, 47-53 and 55-57

In paragraph 19 of the Office Action, the Examiner rejects claims 5, 7, 11-17, 22, 29, 30, 32, 34, 47-53 and 55-57 under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent No. 6,418,149 to Swisher et al. It is submitted that the amended claims are patentable over the cited references for at least the following reasons.

With regards to claims 5, 7, 11-17, 22, 29, 30, 32 and 34, these claims depend from independent claim 1 or independent claim 18. Applicants contend that this rejection is not proper because the independent claims are not rejected as being anticipated by Swisher. The Examiner alleges (in paragraph 11) "as a result of the split priority of the claims the Swisher et al. reference does not qualify as prior art with respect to the stand alone independent claims, however, as the reference qualifies as prior art in view of claims 5, 7, 11-17, 22, 29-30, and 32-34 as these claims taken in combination with the independent claims were not previously disclosed." Applicants do not dispute that Swisher qualifies as prior art for these claims, however Swisher does not qualify as 35 U.S.C. § 102(c) reference for these claims. The Examiner readily admits that Swisher does not qualify for prior art for independent claims 1 or 18. Because Swisher does not qualify for art for these claims, Swisher can not be used to teach the elements of these claims. Thus, removing the teachings of the elements of claims 1 and 18 from Swisher precludes Swisher from being a 35 U.S.C. § 102(c) reference for each and every claim that depend upon these claims. Therefore, Applicants respectfully request the withdrawal of the rejection on these claims.

With regards to claims 5, 7, 11-17, 22, 29-30, 32-34, and 47-49, the Examiner refers (on pages 8 and 17-20) to U.S. Patent No. 6,317,884 to Eames et al. and Swisher in describing the anticipation rejection. Applicants respectfully submit that this constitutes an improper use of multiple references in a 35 U.S.C. § 102 rejection. According the M.P.E.P., Section 2131.01, states that 35 U.S.C. § 102 rejection should only use multiple references when the extra

references are cited to: (A) prove the primary reference has an enabled disclosure; (B) Explain the meaning of a term used in the primary reference; or (C) Show that a characteristic not disclosed in the reference is inherent. The Examiner utilizes (page 19 of the Office Action) Eames to illustrate the residential gateway including elements such as a receiver 470, a network interface module 410, a video processor 430 and an optical receiver 472. Eames was not provided to: (A) prove that the primary reference contains an enabled disclosure, (B) explain the meaning of "residential gateway"; or (C) show that characteristics not disclosed in the residential gateway are inherent. Therefore, Applicants respectfully submit that claims 5, 7, 11-17, 22, 29, 30, 32-34 and 47-49 should not be rejected by Swisher and request the rejection be withdrawn.

Independent claim 50 is directed to a media interface device for directional distribution of signals to multiple devices over media. The device includes a first connector that receives a first signal in a first direction. A second connector receives a second signal in the first direction and transmits a third signal in a second direction. A third connector transmits the first signal and the second signal in the first direction and receives the third signal and a fourth signal in the second direction. A diplexer extracts the third signal from the media in the second direction and inserts the second signal onto the media in the first direction. A remote antennae module receives the fourth signal and extracts a fifth signal therefrom and a fourth connector transmits the fifth signal in the second direction.

It is respectfully submitted that Swisher does not disclose or suggest a media interface device as recited in independent claim 50. For example, Swisher does not disclose a remote antennae module that receives a fourth signal and extracts a fifth signal therefrom. Swisher discloses (Figure 3) a bi-directional media interface device. With respect to the following description the first direction refers to a signal traveling from left-to-right (from 610 towards 200) while a second direction refers to a signal traveling from right-to-left (from 200 towards 610). A signal from a telecommunications network is received at network interface device 360 which travels in the first direction to balun 612 (through wire 181) which transmits the signal to diplexer 610 (through cable 614). Diplexer 610 receives the signal and transmits the signal in the first direction (over cable 600) to a second diplexer 620 which transmits the signal (over cable 624) in the first direction to balun 622, which in turn transmits the signal (over wire 626) in the first direction to residential gateway 200. Residential gateway transmits television signals (from

TV1,TV2,TV3) in a second direction either directly to a television 199 or to combiner 650. Combiner 650 combines the multiple television signals to one television signal and transmits this new signal (over cable 643) in the second direction to diplexer 620. Diplexer 620 transmits the combined television signal (over cable 600) in the second direction to diplexer 610. Diplexer 610 transmits the combined signals to splitter 652 which splits the signals into two separate television signals and transmits the signals to televisions 197 and 198. The Examiner alleges (page 21) that the remote antennae module or fourth connector is taught by diplexer 620. However, this diplexer does act as the claimed remote antennae module for receiving the fourth signal and extracting a fifth signal therefrom. The Examiner also alleges that balun 622 is the second connector for receiving a signal in a first direction and transmitting a signal in the third direction. However, balun 622 merely passes the signal moving in the first direction (from right to left) and provides an impedance match from cable 624 to wire 626. For at least these reasons claim 50 is allowable over Swisher and it is respectfully requested that the rejection be withdrawn.

Claims 52, 53, 55-57 depend upon independent claim 50 and are submitted to be allowable for at least the reasons described above with respect to claim 50 and for the further features recited therein.

Rejections Under 35 U.S.C. § 103

Claims 2, 19 and 32-34

In paragraph 22, the Examiner rejected claims 2, 19 and 32-34 are rejected under 35 U.S.C. § as being obvious over Ehreth in view of U.S. Patent No. 5,574,964 to Hamlin. Claim 2 depends upon independent claim 1 and claims 19 and 32-34 depend upon independent claim 18. As discussed in detail above, Ehreth does not disclose or suggest all of the elements of independent claims 1 and 18. Hamlin discloses a signal distribution system having a residential gateway 34, a system controller 38, a signal transceiver 40, multiple receiving units 46, interface pods 44 and a remote control device 42. The system controller 38 stores data therein related to the multiple receiving units. In operation, a channel select command is received from remote control 42 at the signal transceiver 40 which converts the signal to electrical signal that is sent to

system controller 38. System controller 38 interprets the command and outputs a control signal to residential gateway 34 which in turn sends a signal over media to a selected interface pod 44. Interface pod transmits the signal to the receiving unit 46. Thus, Hamlin fails to disclose or suggest transmitting a signal from the residential gateway to a television without the signal going through an intermediate device (interface pod 44).

The teachings of Hamlin may not be used to modify Ehreth without destroying Ehreth. As described in detail above with respect to claim 1, the channel selection and receiving unit 50 must transmit a signal upstream to the receiver 80 in order for the modulating unit 34 to select a frequency to send the modulated signal. This modulated signal is sent to all of the channel selection and signaling units 50 located in a building, but only the channel selection and signaling unit 50 that is set to the proper frequency will receive the modulated signaling. Modifying Ehreth with the teachings of Hamlin would result in a single remote control that transmits a command signal to a control device. This would require replacing the channel selection and signaling units 50 with interface pods and replacing the residential gateway 30 with a new residential gateway and separate control device that controls the gateway. This essentially removes all of the elements taught by Ehreth and results in Hamlin. Thus, Hamlin can not be used to modify Ehreth.

For the reasons detailed above, claims 2, 19 and 32-34, are allowable over Ehreth and Hamlin, combined or alone, and it is respectfully requested that the rejection be withdrawn.

Claims 8-12, 25-30, 36 and 44

In paragraph 23, the Examiner rejected claims 8-12, 25-30, 36 and 44 are rejected under 35 U.S.C. § 103 as being obvious over Ehreth. Claims 8-12 depend upon independent claim 1; claims 25-30 depend upon independent claim 18; and claims 36 and 44 depend upon independent claim 35. These claims are submitted to be allowable for at least the reasons described above with respect to claim 1, 18 and 36 and for the further features recited therein.

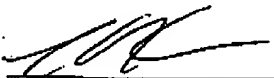
Conclusion

For the foregoing reasons, Applicant respectfully submits that claims 1-58 are in condition for allowance. Accordingly, early allowance of claims 1-58 is earnestly solicited.

Should the Examiner feel that any of the claims rejections are still valid, Applicants respectfully submit that the finality of the previous Office Action be removed because of the erroneous rejection of claims 5, 7, 11-17, 22, 29-30, 32-34, and 47-49, as being anticipated by Swisher.

Should the Examiner have any questions or concerns, the Examiner should contact the undersigned to discuss.

Respectfully submitted,



Craig A. Hallacher
Reg. No. 54,896

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Technology, Patents and Licensing Inc.
6206 Kellers Church Road
Pipersville, PA 18947

Phone: (215) 766-2100
Fax: (215) 766-2920
email challacher@techpats.com